

## **RESOLUTION NO. 2010-28**

**A RESOLUTION,** establishing a moratorium on applications for land use development in the Broadview area and connections to North Road, and setting the date for a public hearing.

WHEREAS, the neighborhood commonly referred to as Broadview, and described on Attachment "A" as the "Moratorium Area," has developed in multiple phases over a period of time;

WHEREAS, Broadview currently has approximately one hundred sixty (160) approved building lots with only a single improved public right-of-way for ingress and egress, i.e. Maiden Lane;

WHEREAS, Maiden Lane is narrow and steep and is not adequate to safely handle additional traffic volume;

WHEREAS, WCC 11.20.070(2) requires subdivision of land containing forty (40) lots or more to contain at least two (2) public road ingress/egress routes, which is a restriction on further subdivision in the Broadview area;

WHEREAS, the City has anticipated in its comprehensive planning process that future development would continue to extend the existing public roads out of the Broadview area such that additional routes of ingress and egress would be created;

WHEREAS, multiple annexation and development proposals have been made, but failed to resolve the secondary ingress/egress issue in the Broadview area;

WHEREAS, the City's "North Road" is a potential ingress/egress route to lands located outside the City's corporate limits which have the potential for further subdivision;

WHEREAS, North Road as it exists West of the Wenatchee Reclamation District irrigation canal is narrow, steep, has no sidewalks and has a blind corner, all of which falls below current City street standards and presents a risk to the health, safety and welfare of vehicular and pedestrian traffic; and

WHEREAS, the City is diligently pursuing a planning effort to resolve the secondary ingress/egress issue in the Broadview area.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WENATCHEE** hereby resolves as follows:

#### **SECTION I**

The City Council makes the following preliminary findings of fact:

1. The City Council considered a staff report submitted by the City's Department of Community Development.
2. WCC 11.20.070(2) will restrict further subdivision of land in the Broadview area unless a secondary access can be provided.
3. The City needs additional time to consider properly and carefully an appropriate resolution to the secondary access issue in the Broadview area.
4. A moratorium on land use development applications in the Broadview area would allow City staff to focus on a resolution of the secondary access issue in the Broadview area rather than processing applications.
5. The City's North Road is not currently adequate to provide ingress/egress to lands outside the City limits if said lands were subdivided and developed.
6. The land use, economic and legal issues relating to the location, funding and improvement of a secondary access route for the Broadview area and for North

Road are sufficiently complex so that the planning process would benefit from a moratorium on applications for land use developments and connections to North Road.

7. Moratorium's enacted pursuant to RCW 35A.63.220 and RCW 36.70A.390 are methods by which local governments may preserve the status quo so that new plans and regulations will not be rendered moot by intervening development.

8. The protection of the health, safety and welfare of the general public supports an immediate moratorium on applications for land use developments and connections to North Road.

9. Pursuant to WAC 197-11-880, the adoption of this resolution is exempt from the requirements of a threshold determination under the State Environmental Policy Act.

## **SECTION II**

A moratorium shall be and hereby is established for six (6) months from the effective date of this Resolution on all applications for land use development in the Broadview area as described on Attachment "A" as the "Moratorium Area". For purposes of this Resolution, "application for land use development" shall include all applications for land use development that add to the number of existing lots, or add to the number of residential units over and above one residential unit per existing lot including, but not limited to, subdivisions, binding site plans, and planned developments. Included in this moratorium shall be any connections to or use of existing city streets within the moratorium area for lots or residential units over and above one (1) residential unit per existing lot created after the effective date of this Resolution on lands outside the City's corporate limits.

### **SECTION III**

A moratorium shall be and hereby is established for six (6) months from the effective date of this Resolution on all connections to or use of North Road for lots or residential units over and above one (1) residential unit per existing lot created after the effective date of this Resolution on lands outside the City's corporate limits.

### **SECTION IV**

That the following work plan is adopted to address the issues involved herein:

- A. Implement a neighborhood public planning process to assist in identifying all the issues and potential solutions.
- B. Perform planning and engineering analysis of all viable solutions with planning level cost estimates.
- C. Identify funding alternatives for viable solutions.
- D. Develop code updates if necessary to implement solutions.

### **SECTION V**

Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council shall hold a public hearing on the moratorium established herein at its regularly scheduled meeting on March 25, 2010.

### **SECTION VI**

An extension of the moratorium established herein may be renewed for one (1) or more six (6) month periods if a subsequent public hearing is held and findings of fact are made supporting a renewal.

## SECTION VII

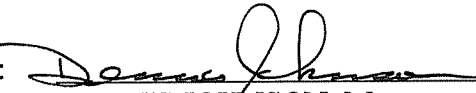
If any provision of this Resolution, or its application to any circumstance is for any reason held invalid, the remainder of the Resolution, or its application to other circumstances, shall not be affected.

## SECTION VIII

The effective date of this Resolution shall be February 25, 2010.

**PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE** at a regular meeting thereof, this 25<sup>th</sup> day of February, 2010.

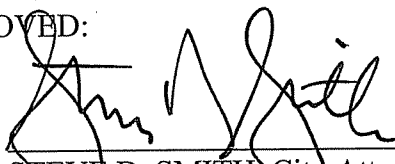
CITY OF WENATCHEE, a municipal  
Corporation

By:   
DENNIS JOHNSON, Mayor

ATTEST:

By:   
TAMMY STANGER, City Clerk

APPROVED:

By:   
STEVE D. SMITH, City Attorney

# Exhibit 'A'

